# GOVERNMENT OF INDIA
# INFORMATION AND BROADCASTING
# LOK SABHA

UNSTARRED QUESTION NO:633
ANSWERED ON:25.02.2009
RATES OF PAY CHANNEL
Bhagora Shri Mahavir

**Will the Minister of INFORMATION AND BROADCASTING be pleased to state:**

(a) the details of rates being charged for each pay channel in the country;

(b) whether the Telecom Regulatory Authority of India determines these rates;

(c) if so, the details of norms laid down for determining the said rates;

(d) whether the Government has received complaints on exhorbitant rates of pay channel; and

(e) if so,the steps taken in this regard and remedial measures proposed to be taken by the Government?

## Answer

MINISTER OF THE STATE IN THE MINISTRY OF EXTERNAL AFFAIRS AND INFORMATION & BROADCASTING (SHRI ANAND SHARMA)

(a) & (b): Yes,Sir.The details of the a-la-carte and bouquet rates as reported by the pay channel broadcasters are available at the Telecom Regulatory Authority of India (TRAI) website www.trai. gov.in.

(c): Telecom Regulatory Authority of India (TRAI) regulates the rates of pay channels under section 11(2) of the TRAI Act,1997 as per following norms:

(i) The average monthly cable TV bill and average number of pay channels watched by viewers.

(ii) The prices made available by the stakeholders during the process of consultation.

(iii) Inference drawn from the agreements between the broadcaster and the MSO;

(iv) Available data from CAS areas in Chennai

(v) Offers made by DTH operators.The determination methodology adopted by TDSAT in its judgement in the case involving ASC Enterprises Limited and Star India Private Limited.

(vi) Reported mismatch between the actual subscriber and chargeable subscriber (inference drawn from the prevailing practices)

(vii) Arrangements of revenue sharing with a reference to advertisement,carriage and revenue generated from the subscribers.

(viii) With regard to rates in Non CAS areas, since the Tariff Amendment Order dated 4.10.2007 has been struck down by TDSAT,the current wholesale rates of pay channels are based on the market driven rates prevalent as on 26.12.2003 with inflation linked increases.

(ix) The rates of new pay channels or free to air channels converted to pay channels thereafter are decided based on the rates of similar genre and language.

(d) & (e): Complaints regarding the rates charged by pay channels come under the purview of TRAI which is the regulator for carriage issues.To protect the interest of the consumer for cable TV services in CAS notified areas,TRAI had made it mandatory to provide pay channels o the consumers on a-la-carte basis and a ceiling of Rs.5.35 (excluding taxes) per pay channel per month at subscriber level has been prescribed.In non CAS areas,the Authority vide its tariff amendment order dated 04.10.2007, had prescribed habitation wise ceiling based on number of pay channels provided to the cable TV subscribers.However, Hon'ble TDSAT on 15.1.2009 has set-aside the Tariff Amendment Order dated 04.10.2007.TRAI has made an appeal in the Hon'ble Supreme Court against the order of Hon'ble TDSAT and the matter is sub-judice.